



Order Filed on June 23, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

**McCABE, WEISBERG & CONWAY, LLC**

**By: Melissa S. DiCerbo, Esq. (Atty.**

**L.D.#MSD4070)**

**216 Haddon Avenue, Suite 201**

**Westmont, NJ 08108**

**856-858-7080**

Attorneys for Movant: Bayview Loan Servicing,  
LLC, a Delaware Limited Liability Company

IN re:

Michael J. Smith aka Michael Smith aka Mike  
Smith aka Michael I. Smith  
Debtor

Case No.: 16-31204-ABA

Chapter: 13

Judge: Andrew B. Altenburg Jr.

**ORDER VACATING STAY**

The relief set forth on the following pages, number two (2) through two (2) is hereby

**ORDERED**

**DATED: June 23, 2020**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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Debtor(s): Michael J. Smith aka Michael Smith aka Mike Smith aka Michael I. Smith

Case No: 16-31204-ABA

Caption of Order: ORDER VACATING STAY

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Upon the Certification of Default filed by Bayview Loan Servicing, LLC, a Delaware Limited Liability Company, or its successors or assignees, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as:

720 Division Street, Gloucester City, New Jersey 08030

ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its states court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale, or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its rights to possession of the property.

☐ Personal property more fully described as:

ORDERED that Movant may pursue any and all loss mitigation options with respect to the Debtor(s) or the real property described above, including but not limited to repayment agreement, loan modification, short sale or deed-in-lieu of foreclosure.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this Order on the Debtor, any Trustee and any other party who entered an appearance on the motion.